

July 21, 2005

AGENDA
ILLINOIS CIVIL SERVICE COMMISSION
JULY 21, 2005

- I. OPENING OF MEETING AT 9:00 A.M. AT 160 NORTH LASALLE STREET,
SUITE S-901, CHICAGO, ILLINOIS

- II. PRESENT

- III. APPROVAL OF MINUTES OF REGULAR MEETING HELD JUNE 16, 2005

**WILL THE COMMISSION APPROVE THE MINUTES OF THE REGULAR
MEETING HELD JUNE 16, 2005?**

July 21, 2005

IV. EXEMPTIONS UNDER SECTION 4d(3) OF THE PERSONNEL CODE

A. Report on Exempt Positions

<u>Agency</u>	<u>Total Employees</u>	<u>Number of Exempt Positions</u>
Aging.....	158	6
Agriculture	577	17
Arts Council	22	1
Capitol Development Board.....	15	0
Central Management Services.....	1679	119
Children and Family Services	3402	41
Civil Service Commission.....	4	0
Commerce & Econ. Opportunity.....	456	60
Commerce Commission	44	0
Corrections	14,246	116
Criminal Justice Authority	80	5
Deaf and Hard of Hearing Comm.	7	1
Developmental Disabilities Council.....	10	1
Emergency Management Agency.....	116	1
Employment Security	1892	26
Environmental Protect. Agency.....	1099	16
Fin. & Prof. Regulation	802	40
Guardianship and Advocacy	109	5
Historic Preservation Agency.....	355	8
Human Rights Commission.....	11	2
Human Rights Department.....	147	7
Human Services.....	14,867	59
Workers Comp. Commission	170	9
Investment Board	4	1
Labor	75	7
Labor Relations Board Educational.....	15	2
Labor Relations Board Local	1	0
Labor Relations Board State.....	20	2
Law Enforce. Trng. & Standard Bd.....	24	1
Medical District Comm.	2	0
Military Affairs	146	3
Natural Resources	1732	27
Pollution Control Board	26	3
Prisoner Review Board.....	24	0
Property Tax Appeal Board.....	24	2
Public Aid.....	2201	24
Public Health	1114	32
Revenue.....	2024	58
State Fire Marshal	137	8
State Police.....	1494	6
State Police Merit Board	5	1
State Retirement Systems	83	1
Transportation	2815	1
Veterans Affairs	1155	4
TOTALS	53,389	723

IV. EXEMPTIONS UNDER SECTION 4d(3) OF THE PERSONNEL CODE (continued)

B. Governing Rule - Jurisdiction B Exemptions

- a) Before a position shall qualify for exemption from Jurisdiction B under Section 4d(3) of the Personnel Code, the position shall be directly responsible to:
 1. The Governor, or
 2. A departmental director or assistant director appointed by the Governor, or
 3. A board or commission appointed by the Governor, or
 4. The head of an agency created by Executive Order, or the director or assistant director of an agency carrying out statutory powers, whose offices are created by the Governor subject to legislative veto under Article V, Section 11, of the Constitution of 1970, which agency head, director, or assistant director may themselves be subject to exemption under Section 4d(3), or
 5. In an agency having a statutory assistant director, a deputy director exercising full line authority under the director for all operating entities of the agency, provided the statutory role of assistant director is vacant or is assigned clearly distinct and separate duties from the deputy director and as a colleague to him, or
 6. A line position organizationally located between the director and/or assistant director and a subordinate statutorily exempt position(s), provided the position proposed for exemption has line authority over the statutory exempt position(s), or
 7. The elected head of an independent agency in the executive, legislative, or judicial branch of government.
- b) If a position meets the above criterion, it must, in addition, be responsible for one or more of the following before it shall be approved as exempt:
 1. Directs programs defined by statute and/or departmental, board, or commission policy or possess significant authority when acting in the capacity of a director of programs to bind the agency.
 2. Makes decisions in exercising principal responsibility for the determination or execution of policy which fix objectives or state the principles to control action toward operating objectives of one or more divisions, such decisions being subject to review or reversal only by the director, assistant director, board or commission.
 3. Participates in the planning and programming of departmental, board, or commission activities, integrating the plans and projections of related divisions, and the scheduling of projected work programs of those agencies.

* * *

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IV. EXEMPTIONS UNDER SECTION 4d(3) OF THE PERSONNEL CODE (continued)

C. Central Management Services - Proposed Exemption

The following 4d(3) request for exemption was continued at the June 16, 2005 meeting until the July 21, 2005 meeting.

COPY

Dear Chairman Kolker:

The Department of Central Management Services is requesting 4d(3) policy exemption of the following position:

Position Title:	Senior Public Service Administrator - Option 3
Position Number:	40070-37-10-100-00-01
Bureau/Division:	Bureau of Communication and Computer Services Agency Relations Program
Incumbent:	Vacant
Supervisor:	Deputy Director Bureau of Communication and Computer Services
Location:	Cook County

The rationale for requesting this exemption is supported by the following:

1. The Bureau of Communication and Computer Services (BCCS) Agency Relations Manager reports to the Deputy Director of BCCS who exercises full line authority under the Director and is responsible for performing duties clearly distinct and separate from other Central Management Services' Deputy Directors and statutorily appointed Assistant Directors.
2. The Agency Relations Manager exercises principal responsibility for the determination and execution of policies in the development, planning, implementing and administering of the Agency Relations Program which provides for the delivery of effective and cost-efficient information technology and telecommunications customer services for all client state agencies, boards and commissions, the Governor's and Lieutenant Governor's Offices and other governmental entities provided by the consolidated Central Management Services' (CMS)/Bureau of Communication and Computer Services (BCCS) including the formulation and implementation of policies for Agency Service Level Agreements which fix objectives and state principles to control action towards operating objectives of multiple agencies and other state offices.

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IV. EXEMPTIONS UNDER SECTION 4d(3) OF THE PERSONNEL CODE (continued)

3. The Agency Relations Manager possesses significant authority when acting in the capacity of the Deputy Director and the agency in the development of effective partnering relationships between BCCS and the client agencies, in defining and developing Agency Service Level Agreements, in the proactive identification, elimination or minimizing of clients' concerns and issues associated with projects and to solicit and verify feedback on client agencies' satisfaction levels with service and equipment provided, possessing significant authority on behalf of the Deputy Director to bind the agency to a course of action in providing services and soliciting information necessary for the development of work plans and specifications for client agencies' projects which plans, programs, integrates and schedules work projects involving multiple state agencies and other state offices.

As this position meets the reporting criteria as set forth in Section 1.142 Jurisdiction B Exemptions of the 80 Illinois Administrative Code and considering similarities of this requested position with those of other 4d(3) exempted positions in Central Management Services, I recommend 4d(3) exemption.

To facilitate your review, I have enclosed copies of the position description and organization charts. If additional information is required, please contact Larry Plummer in the Bureau of Personnel at (217) 557-0225. Thank you for your consideration of this request.

END OF COPY

WILL THE COMMISSION GRANT THE REQUEST FOR EXEMPTION FROM JURISDICTION B OF THE PERSONNEL CODE FOR THE FOLLOWING POSITION?

Position Title:	Senior Public Service Administrator - Option 3
Position Number:	40070-37-10-100-00-01
Bureau/Division:	Bureau of Communication and Computer Services Agency Relations Program
Incumbent:	Vacant
Supervisor:	Deputy Director Bureau of Communication and Computer Services
Location:	Cook County

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IV. EXEMPTIONS UNDER SECTION 4d(3) OF THE PERSONNEL CODE (continued)

D. Central Management Services - Proposed Exemption

The following 4d(3) request for exemption was continued at the June 16, 2005 meeting until the July 21, 2005 meeting.

COPY

Dear Chairman Kolker:

The Department of Central Management Services is requesting 4d(3) policy exemption of the following position:

Position Title:	Senior Public Service Administrator - Option 3
Position Number:	40070-37-10-200-00-01
Bureau/Division:	Bureau of Communication and Computer Services Information Technology Division
Incumbent:	Vacant
Supervisor:	Deputy Director Bureau of Communication and Computer Services
Location:	Cook County

The rationale for requesting this exemption is supported by the following:

1. The Bureau of Communication and Computer Services (BCCS) Chief Information Officer reports to the Deputy Director of BCCS who exercises full line authority under the Director and is responsible for performing duties clearly distinct and separate from other Central Management Services Deputy Directors and statutorily appointed Assistant Directors.
2. The Chief Information Officer exercises principal responsibility for the determination and execution of policies in the development, planning, implementing and administering of the Information Technology Division which provides information management/technology systems to multiple state agencies, boards and commissions, the Governor's and Lieutenant Governor's Offices and other governmental entities which fixes objectives and states principles to control action towards operating objectives of multiple agencies and other state offices; formulates and implements policy including those for statewide Infrastructure Services, Risk Management, Common Applications, Enterprise Architecture functions for the overall management and direction of the consolidated Central Management Services (CMS)/Bureau of Communication and Computer Services (BCCS) Information Technology Division.

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IV. EXEMPTIONS UNDER SECTION 4d(3) OF THE PERSONNEL CODE (continued)

3. The Chief Information Officer possesses significant authority when acting in the capacity of the Deputy Director and the agency to bind the agency to courses of action in providing services to client agencies and offices and to commit and reallocate Division resources to enhance efficiency and services provided on behalf of the agency; coordinates initiatives between CMS and client agencies which plan, program and schedule activities for multiple state agencies and other state offices in developing and implementing technical recommendations and solutions and coordinating multi-agency efforts to respond to specialized situations to meet the short and long range goals of both CMS and all client agencies.
4. This position serves as official agency spokesperson on behalf of the Deputy Director and the agency to all internal and external entities including the Architecture Rationalization Board, Information Technology Board of Advisors, the Information Technology Governance Council and other ad hoc committees on Information Technology Division issues and initiatives and serves as a representative to all client agencies and offices in initiatives to insure convergence towards statewide standardization of information technology systems in consultation with the Information Technology Governance Council.

As this position meets the reporting criteria as set forth in Section 1.142 Jurisdiction B Exemptions of the 80 Illinois Administrative Code and considering similarities of this requested position with those of other 4d(3) exempted positions in Central Management Services, I recommend 4d(3) exemption.

To facilitate your review, I have enclosed copies of the position description and organization charts. If additional information is required, please contact Larry Plummer in the Bureau of Personnel at (217) 557-0225. Thank you for your consideration of this request.

END OF COPY

WILL THE COMMISSION GRANT THE REQUEST FOR EXEMPTION FROM JURISDICTION B OF THE PERSONNEL CODE FOR THE FOLLOWING POSITION?

Position Title:	Senior Public Service Administrator - Option 3
Position Number:	40070-37-10-200-00-01
Bureau/Division:	Bureau of Communication and Computer Services Information Technology Division
Incumbent:	Vacant
Supervisor:	Deputy Director Bureau of Communication and Computer Services
Location:	Cook County

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IV. EXEMPTIONS UNDER SECTION 4d(3) OF THE PERSONNEL CODE (continued)

E. **Central Management Services - Proposed Exemption**

The following recommendation and supporting materials were received from the Director of Central Management Services.

COPY

Dear Chairman Kolker:

The Department of Central Management Services is requesting 4d(3) policy exemption of the following position:

Position Title:	Senior Public Service Administrator (Option 3)
Position Number:	40070-37-10-010-01-02
Bureau/Division:	Bureau of Communication and Computer Services/Chief of Staff's Office
Incumbent:	Vacant
Supervisor:	Deputy Director of the Bureau of Communication And Computer Services
Location:	Sangamon

The rationale for requesting this exemption is supported by the following:

- 1) The Bureau of Communication and Computer Services (BCCS) Chief of Staff reports to the Deputy Director of BCCS who exercises full line authority under the Director and is responsible for performing duties clearly distinct and separate from other Central Management Services Deputy Directors and statutorily appointed Assistant Directors.
- 2) The Chief of Staff exercises principal responsibility for the Deputy Director in the determination and execution of operational policies, procedures, mission statements and strategic initiatives empowered by Senate Bill 874 and the FY2005 Budget Implementation Bill for the information technology and telecommunications consolidation and rationalization initiatives and their ongoing oversight for the operations and integration of activities of the bureau and information technology/telecommunications services for multiple state agencies, the Governor's and Lieutenant Governor's Offices and other governmental entities which fixes objectives and states principles to control action towards operating objectives of multiple agencies and other state offices.

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IV. EXEMPTIONS UNDER SECTION 4d(3) OF THE PERSONNEL CODE (continued)

- 3) The Chief of Staff possesses significant authority when acting in the capacity of the Deputy Director and the agency to bind the agency to courses of action in providing services to client agencies and offices and possesses authority to commit and reallocate Bureau resources to enhance efficiency and effectiveness of information technology/telecommunications consolidation/rationalization services between CMS and client agencies which plan, program and schedule activities for multiple state agencies and other state offices.
- 4) This position serves as official agency spokesperson on behalf of the Deputy Director and the agency to all internal and external entities including CMS staff, senior management for all client agencies and offices, public, private and federal officials on issues regarding Bureau consolidation/rationalization operational services.

As this position meets the reporting criteria as set forth in Section 1.142 Jurisdiction B Exemptions of the 80 Illinois Administrative Code and considering similarities of this requested position with those of other 4d(3) exempted positions in Central Management Services, I recommend 4d(3) exemption.

To facilitate your review, I have enclosed copies of the position description and organization charts. If additional information is required, please contact Larry Plummer in the Bureau of Personnel at 217-557-0225. Thank you for your consideration of this request.

END OF COPY

WILL THE COMMISSION GRANT THE REQUEST FOR EXEMPTION FROM JURISDICTION B OF THE PERSONNEL CODE FOR THE FOLLOWING POSITION?

Position Title:	Senior Public Service Administrator (Option 3)
Position Number:	40070-37-10-010-01-02
Bureau/Division:	Bureau of Communication and Computer Services/Chief of Staff's Office
Incumbent:	Vacant
Supervisor:	Deputy Director of the Bureau of Communication And Computer Services
Location:	Sangamon

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IV. EXEMPTIONS UNDER SECTION 4d(3) OF THE PERSONNEL CODE (continued)

F. **Illinois Historic Preservation Agency - Proposed Exemption**

The following recommendation and supporting materials were received from the Director of the Illinois Historic Preservation Agency.

COPY

Dear (Acting) Director Campbell:

The Illinois Historic Preservation Agency is requesting a 4d(3) exemption from the Personnel Code for the following position:

Position Title:	Senior Public Service Administrator
Position Number:	40070-48-00-200-00-01
Division:	Director's Office
Incumbent:	Vacant
Supervisor:	Director
Location:	Sangamon County

This position will act as the Chief Information Officer and will be responsible for overseeing the information technology management systems and services for the Illinois State Historic Preservation Agency (IHPA) which includes the Abraham Lincoln Presidential Library and Museum (ALPLM). We feel that this position meets the criteria for exemption from 4d(3) of the Personnel Code in that it:

- Reports directly to the Director of the ALPLM.
- Acts with full authority of the Director of the Agency in establishing, developing, and implementing information technology management system policies, procedures and programs for IHPA and ALPLM including database administration, digitization projects and server operations while ensuring that the Agency complies with all applicable State and Federal laws.
- The position makes decisions in exercising principle responsibility for a major information technology systems and services programs for the Agency which includes the ALPLM.
- Establishes, develops and implements policies and makes decisions in exercising principal responsibility for a major agency program.

If you have any questions or need additional information for consideration of our request, please feel free to contact Ednita Murdock, Human Resource Administrator, at 217/785-4674.

END OF COPY

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IV. EXEMPTIONS UNDER SECTION 4d(3) OF THE PERSONNEL CODE (continued)

CMS Recommendation

This position does meet the reporting criteria of the Commission Rules and considering similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.

WILL THE COMMISSION GRANT THE REQUEST FOR EXEMPTION FROM JURISDICTION B OF THE PERSONNEL CODE FOR THE FOLLOWING POSITION?

Position Title:	Senior Public Service Administrator
Position Number:	40070-48-00-200-00-01
Division:	Director's Office
Incumbent:	Vacant
Supervisor:	Director
Location:	Sangamon County

G. **Illinois Historic Preservation Agency - Proposed Exemption**

The following recommendation and supporting materials were received from the Director of the Illinois Historic Preservation Agency.

COPY

Dear (Acting) Director Campbell:

The Illinois Historic Preservation Agency is requesting a 4d(3) exemption from the Personnel Code for the following position:

Position Title:	Senior Public Service Administrator
Position Number:	40070-48-50-000-00-01
Division:	A. Lincoln Presidential Library and Museum
Incumbent:	Vacant
Supervisor:	Director ALPLM (appointed)
Location:	Sangamon County

This position will act as the Deputy Director for the Abraham Lincoln Presidential Library & Museum (ALPLM) and will be responsible for the ALPLM's operating and program activities and represents the ALPLM in assigned areas of public and intergovernmental relationships. We feel that this position meets the criteria for exemption from 4d(3) of the Personnel Code in that it:

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IV. EXEMPTIONS UNDER SECTION 4d(3) OF THE PERSONNEL CODE (continued)

- Acts as the deputy Director of the ALPLM and reports directly to the Director of the ALPLM.
- Acts with full authority of the Director of the ALPLM in establishing, developing, and implementing ALPLM operations and program activities.
- The position makes decisions in exercising principle responsibility for all of the ALPLM's major programs.
- Establishes, develops and implements policies and makes decisions in exercising principal responsibility for a major agency program.

If you have any questions or need additional information for consideration of our request, please feel free to contact Susie Fishel, ALPLM Human Resources, at 217/558-8882.

END OF COPY

CMS Recommendation

This position does meet the reporting criteria of the Commission Rules and considering similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.

WILL THE COMMISSION GRANT THE REQUEST FOR EXEMPTION FROM JURISDICTION B OF THE PERSONNEL CODE FOR THE FOLLOWING POSITION?

H. **Department of Financial and Professional Regulation -Proposed Exemption**

The following recommendation and supporting materials were received from the Director of the Department of Financial and Professional Regulation.

COPY

Dear (Acting) Director Campbell:

Enclosed please find a job description for the following SPSA position within the Department of Financial and Professional Regulation's Division of Banks and Real Estate.

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IV. EXEMPTIONS UNDER SECTION 4d(3) OF THE PERSONNEL CODE (continued)

Position Title: Senior Public Service Administrator
Position Number: 40070-13-10-403-00-01
Division: Thrifts Division
Incumbent: James Roger Copely
Supervisor: SPSA (40070-13-10-400-00-01)
Location: Cook County

This position serves as the Manager of the Thrifts Division. This is a senior staff position, and as you will see in the attached job description, involves responsibility for the determination and implementation of policy.

As such, this position meets the criteria for partial exemption under Section 4d(3) of the Personnel Code. Therefore, I am requesting that CMS review the attached job description and make a favorable recommendation to the Civil Service Commission that this position be placed on the agenda for consideration of 4d(3) exemption at the Commission's regularly scheduled meeting in July 2005.

Should you have any questions regarding this request, contact our Human Resources Director, Richard Foxman, at 217/785-0816. Thank you for your consideration.

END OF COPY

CMS Recommendation

This position does meet the reporting criteria of the Commission Rules and considering similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.

WILL THE COMMISSION GRANT THE REQUEST FOR EXEMPTION FROM JURISDICTION B OF THE PERSONNEL CODE FOR THE FOLLOWING POSITION?

Position Title: Senior Public Service Administrator
Position Number: 40070-13-10-403-00-01
Division: Thrifts Division
Incumbent: James Roger Copely
Supervisor: SPSA (40070-13-10-400-00-01)
Location: Cook County

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IV. EXEMPTIONS UNDER SECTION 4d(3) OF THE PERSONNEL CODE (continued)

I. **Department of Commerce and Economic Opportunity - Proposed Exemption**

The following recommendation and supporting materials were received from the Director of the Department of Commerce and Economic Opportunity.

COPY

Dear (Acting) Director Campbell:

The Agency is submitting the establishment and request of 4d(3) exemption of a new Assistant Deputy Director, Bureau of Homeland Security Marketplace, position number 40070-42-80-000-05-01 as follows:

Position Title:	Senior Public Service Administrator
Position Number:	40070-42-80-000-05-01
Division:	Bureau of Homeland Security Marketplace
Incumbent:	Vacant
Supervisor:	Deputy Director, Homeland Security Marketplace
Location:	Cook County

This Bureau was recently created to address the emerging economic development potential of the Homeland Security market opportunities for the State of Illinois. With the on-going development of this Bureau, the Agency is now establishing the Assistant Deputy Director for the Bureau. This position mirrors other Assistant Deputy Director positions that were established for other bureaus in March 2003. The Agency is requesting 4d(3) exemption of this position based on similar justification presented with the request for 4d(3) of the Agency's other Assistant Deputy Director positions. At that time, the Agency eliminated the Chief Operating Officer in the Agency, a position that had previously directly supervised the Agency's bureaus. Because of this change, the Deputy Director's scope of responsibility increased to implement and identify agency-wide resources when projects warranted multi-involvement for economic development projects. In turn, this change elevated the reporting hierarchy and the principle policy administration of Assistant Deputy Director positions. This management structure still exists in the extended focus on bringing federal government resources to develop Illinois Homeland Security market opportunities, making the scope of administering this Bureau's goals and objectives broad with respect to the integral working components of this Bureau.

The policy and administrative responsibility of this position warrant consideration to be exempt under Section 4d(3) of the Personnel Code.

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IV. EXEMPTIONS UNDER SECTION 4d(3) OF THE PERSONNEL CODE (continued)

I appreciate your consideration of this request and ask for your approval to make this position 4d(3) exempt.

END OF COPY

CMS Recommendation

This position does meet the reporting criteria of the Commission Rules and considering similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.

WILL THE COMMISSION GRANT THE REQUEST FOR EXEMPTION FROM JURISDICTION B OF THE PERSONNEL CODE FOR THE FOLLOWING POSITION?

Position Title:	Senior Public Service Administrator
Position Number:	40070-42-80-000-05-01
Division:	Bureau of Homeland Security Marketplace
Incumbent:	Vacant
Supervisor:	Deputy Director, Homeland Security Marketplace
Location:	Cook County

V. MOTION TO GO INTO EXECUTIVE SESSION

PURSUANT TO SUBSECTIONS 2(c)(1), 2(c)(4) and 2(c)(11) OF THE OPEN MEETINGS ACT, WILL THE COMMISSION HOLD AN EXECUTIVE SESSION TO CONSIDER APPEALS FILED WITH THE COMMISSION, LITIGATION AND/OR SPECIFIED EMPLOYMENT MATTERS.

VI. RECONVENE MEETING

July 21, 2005

VII. NON-MERIT APPOINTMENT REPORT

The Personnel Code permits non-merit appointments for a limited period of time, i.e., emergency appointments shall not exceed 60 days and shall not be renewed, and positions shall not be filled on a temporary or provisional basis for more than six months out of any twelve-month period. Consecutive non-merit appointments are not violative of the Code, however, they do present a possible evasion of merit principles and should be monitored. Set forth below is the number of consecutive non-merit appointments made by each department. These statistics are from the Department of Central Management Services consecutive non-merit report as of June 30, 2005.

	<u>5/31/05</u>	<u>6/30/05</u>
Agriculture	1	1
Central Management Services	6	8
Children & Family Services	10	10
Comm. & Econ. Opportunity	3	3
Financial and Professional Reg.	0	1
Historic Preservation	26	31
Human Services	1	1
Labor	0	1
Natural Resources	25	32
Property Tax Appeal Board	1	1
Public Aid	11	10
Public Health	2	2
Revenue	1	0
State Fire Marshal	3	3
State Retirement Systems	2	1
Transportation	<u>12</u>	<u>6</u>
Totals	104	111

VIII. PUBLICLY ANNOUNCED DECISIONS RESULTING FROM APPEAL

- **RULE VIOLATION (Remand)**

RV-01-02

Petitioner	Mark Thompson	Appeal Date	7/02/01
Agency	IDPR	Decision Date	2/23/05
Type of Appeal	Rule Violation	ALJ	Andrew Barris
Charge(s)	Politically Motivated Geographical Transfer.	Recommended Decision	Remanded From Circuit Court For Entry of a Final Order.

THIS MATTER HAVING BEEN REMANDED IN AN ORDER FROM THE CIRCUIT COURT OF COOK COUNTY DATED APRIL 18, 2005 FOR ENTRY OF A FINAL ORDER CONSISTENT WITH THE COMMISSION'S FINDINGS AND DECISION ON REMAND, DOES THE COMMISSION FIND THAT THE PETITIONER HAS ESTABLISHED BY SUFFICIENT, COMPETENT AND CREDIBLE EVIDENCE THE GEOGRAPHIC TRANSFER TO SPRINGFIELD WAS UNREASONABLE, UNJUST AND CAPRICIOUS AND WAS NOT A BONA FIDE ATTEMPT TO SERVE THE BEST INTERESTS OF THE OPERATING AGENCY FOR THE REASONS SET FORTH IN THE RECOMMENDED DECISION DATED FEBRUARY 23, 2005 AND PREVIOUSLY ADOPTED BY THE COMMISSION ON MARCH 17, 2005 AND THEREFORE SAID GEOGRAPHIC TRANSFER CONSTITUTES A VIOLATION OF SECTION TWO OF THE PERSONNEL CODE (20 ILCS 415/2)? DOES THE COMMISSION FURTHER FIND, CONSISTENT WITH THE COMMISSION'S FINDINGS AND DECISION ON REMAND REFERENCED ABOVE, THAT THE GEOGRAPHIC TRANSFER BACK TO CHICAGO WAS NOT POLITICALLY MOTIVATED AND DID NOT CONSTITUTE A VIOLATION OF THE PERSONNEL CODE OR RULES?

- **DISCHARGE (Remand)**

DA-91-04

Respondent	Alvin Bond	Appeal Date	4/16/04
Agency	DOT	Decision Date	7/6/05
Type of Appeal	Discharge	ALJ	Daniel Stralka
Charge(s)	Absence Without Approved Leave.	Recommended Decision	Charges Partially Proven; ALJ Recommends Discharge.

DOES THE COMMISSION CONCUR WITH THE RECOMMENDED DECISION ON REMAND IN THE ABOVE MATTER?

VIII. PUBLICLY ANNOUNCED DECISIONS RESULTING FROM APPEAL (continued)

• **DISCHARGE**

DA-28-05

Respondent	Gregory J. Gossett	Appeal Date	10/29/04
Agency	DOC	Decision Date	7/8/05
Type of Appeal	Discharge	ALJ	Andrew Barris
Charge(s)	Conduct Unbecoming a State Employee	Recommended Decision	Charges Partially Proven; ALJ Recommends 90 Day Suspension.

DOES THE COMMISSION CONCUR WITH THE RECOMMENDED DECISION IN THE ABOVE MATTER?

• **DISCHARGE**

DA-33-05

Respondent	Janine Toman	Appeal Date	12/13/04
Agency	CMS	Decision Date	7/12/05
Type of Appeal	Discharge	ALJ	Andrew Barris
Charge(s)	Conduct Unbecoming; Incompetent/Inefficient Performance of Duty; Insubordination.	Recommended Decision	Charges Partially Proven; ALJ Recommends Discharge.

DOES THE COMMISSION CONCUR WITH THE RECOMMENDED DECISION IN THE ABOVE MATTER?

• **DISCHARGE**

DA-39-05

Respondent	Tunisa L. Jackson	Appeal Date	1/18/05
Agency	Public Aid	Decision Date	7/7/05
Type of Appeal	Discharge	ALJ	Daniel Stralka
Charge(s)	Inappropriate Behavior; Failing/Refusing to Follow Dept. Policy; Attempting to Commit a Crime; Conduct Unbecoming.	Recommended Decision	Charges Proven; ALJ Recommends Discharge.

VIII. PUBLICLY ANNOUNCED DECISIONS RESULTING FROM APPEAL (continued)

DOES THE COMMISSION CONCUR WITH THE RECOMMENDED DECISION IN THE ABOVE MATTER?

- **RULE VIOLATION**
RV-56-05

Petitioner	Connie Lenear	Appeal Date	2/14/05
Agency	DOC	Decision Date	6/28/05
Type of Appeal	Rule Violation	ALJ	Andrew Barris
Charge(s)	Violation of Personnel Rules	Proposed Finding	ALJ Finds No Violation of Personnel Rules Occurred as Alleged by Petitioner.

DOES THE COMMISSION CONCUR WITH THE PROPOSED FINDING IN THE ABOVE MATTER?

IX. APPEALS TERMINATED WITHOUT DECISION

- **DISMISSAL**
DA-73-05

Respondent	Michael J. Kudesh	Appeal Date	4/18/05
Agency	DNR	Decision Date	7/13/05
Type of Appeal	Discharge	ALJ	Andrew Barris
Charge(s)	False Statements/ Representations; Conduct Unbecoming.	Recommended Decision	Settlement - Dismissal Subject to Commission Approval.

DOES THE COMMISSION APPROVE THE DISMISSAL OF THE ABOVE MATTER?

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IX. APPEALS TERMINATED WITHOUT DECISION (continued)

• **DISMISSAL**

DA-76-05

Respondent	Booker T. Thornton	Appeal Date	5/12/05
Agency	IDOT	Decision Date	7/13/05
Type of Appeal	Discharge	ALJ	Daniel Stralka
Charge(s)	Conduct Unbecoming; Violence in the Workplace.	Recommended Decision	Settlement - Dismissal Subject to Commission Approval.

DOES THE COMMISSION APPROVE THE DISMISSAL OF THE ABOVE MATTER?

X. AMENDMENTS IN CLASS SPECIFICATIONS

A. **The following class title was submitted for establishment by the Director of Central Management Services:**

Proposed Position Title

Laborer Foreman

Classification Analysis

The Department of Central Management Services, Division of Employee and Labor Relations negotiated with the Laborers' Union to create a class specification to encompass the role of a lead worker to Laborer (Building) positions who perform routine manual labor in assisting skilled trades people other than Plasterers and Brick Masons. Plasterers and Brick Masons are assisted by positions allocated to the Trades Tender. This class has been created in compliance with that negotiated agreement. The Distinguishing Features of Work now includes language to exclude positions performing similar work, but not employed by the Laborer's Union; this clarification was added at the request of AFSCME and has also been approved by the Laborer's Union.

Assistant Executive Director Andrew Barris granted interim approval effective July 1, 2005 until the July 21, 2005 meeting for the Laborer Foreman position.

July 21, 2005

X. AMENDMENTS IN CLASS SPECIFICATIONS (continued)

WILL THE COMMISSION APPROVE THE ESTABLISHMENT OF THE FOLLOWING CLASS TITLE TO BE EFFECTIVE AUGUST 1, 2005?

Laborer Foreman

B. The following class title was submitted for revision by the Director of Central Management Services:

Current Position Title

Accounting and Fiscal Administration Career Trainee

Classification Analysis

According to the agreement reflected in the attached Memorandum of Understanding effective September 1, 2003, this classification is being revised. The desirable requirements have been modified so that the title is a credential title only. Proficiency examinations and training programs are no longer alternatives to the education requirement. The title remains in the Upward Mobility Program.

WILL THE COMMISSION APPROVE THE REVISION OF THE FOLLOWING CLASS TITLE TO BE EFFECTIVE AUGUST 1, 2005?

Accounting and Fiscal Administration Career Trainee

WILL THE COMMISSION DISAPPROVE ANY CLASS SPECIFICATIONS RECEIVED BY THE COMMISSION STAFF NOT CONTAINED IN THIS REPORT TO ALLOW ADEQUATE STUDY?

XI. STAFF REPORT

XII. ANNOUNCEMENT OF NEXT MEETING

Announcement of the next regular meeting to be held on Thursday, August 18, 2005 at 9:00 a.m. in the Commission's Chicago Office.

XIII. MOTION TO ADJOURN